

06/05/01
1064 U.S. PTO

Express Mail Number **EL896634843US**

06-01-01
A
Document No. B-4199 618841-6

Date: June 5, 2001

Commissioner of Patents and Trademarks
Box New Patent Application
Washington, D.C. 20231

1064 U.S. PTO
09/075415
06/05/01

Sir:

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): (1) Peter James Sutherland Goldsack
(2) Gerard Fitzpatrick
(3) Abijah M. Perkins

NOTE: Patent must be applied for in the name of all
of the actual inventor or inventors.

For: "BLOCK ERROR RATE MEASUREMENTS"

Enclosed are:

The Papers Required For Filing Date Under 37 CFR 1.53(b):

6 Pages of specification 1 Page of Abstract 1 Page of Claims

4 Sheets of drawings [] formal [X] informal
(Figs. 1-8)

[X] In addition to the above papers there is also attached

Postcard

Check for filing fee in the amount of \$710.00

Declaration/Power of Attorney of Peter James Sutherland Goldsack and
Gerard Fitzpatrick (2 pages)

Declaration/Power of Attorney of Abijah M. Perkins (2 pages)

Claim to Priority (1 page) with Certified Copies of

UK Application No. 0013746.3 and

EP Application No. 00311334.7

Assignment Cover Sheet (1 page), Assignment document from
Agilent Technologies UK Limited (1 page),
and Check for \$40.00

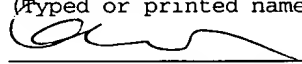
CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this paper and the documents referred to as enclosed
therein are being deposited with the United States Postal Service in an Express
Mail envelope with sufficient postage for Express Mailing on this date
June 5, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing
Label Number EL896634843US addressed to the:

Commissioner of Patents and Trademarks
Box New Patent Application
Washington, D.C. 20231

Karyn Lao

(Typed or printed name of person mailing paper)


(Signature of person mailing paper)

NOTE: Each paper or fee referred to as enclosed herein
has the number of the "Express Mail" mailing label
placed thereon prior to mailing. 37 CFR 1.10(b).

2. Declaration or Oath

☒ Enclosed

☒ original ☐ facsimile

executed by:

☒ inventor(s)

☐ legal representative of inventor(s) 37 CFR 1.42 or 1.43

☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached. 37 CFR 1.47.

☐ petition and statement required by 37 CFR 1.47 also attached. See item 7 below for fee.

☐ Not Enclosed

☐ Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all of the above named inventor(s). The declaration or oath, along with the surcharge required by 37 CFR 1.16(e) can be filed subsequently.

☐ Showing that the filing is authorized. (Not required unless called into question. 37 CFR 1.41(d)).

NOTE: Where the filing is a completion in the U.S. of an international application under 35 U.S.C. 371(c)(4) then the declaration must be filed.

3. Assignment

☒ Assignment of the invention to AGILENT TECHNOLOGIES, INC.

(with separate cover sheet and separate check for \$40.00)

4. Certified Copies

☒ Certified copies of (1) UK Application No. 0013746.3 and

(2) EP Application No. 00311334.7

from which priority is claimed.

NOTE: Must be referred to in oath or declaration. 37 CFR 1.55 and 163.

5. Fee Calculation

CLAIMS		AS FILED			
Number Filed		Number Extra		Rate	Basic Fee \$ 710.00
Total Claims	8 -20=	0 x		\$ 18.00	0
Independent Claims	1 - 3=	0 x		\$ 80.00	0
Multiple Dependent Claim(s), If Any		0 x		\$270.00	0

☐ Amendment canceling extra claims enclosed

☐ Amendment deleting multiple dependencies enclosed

☐ Fee for extra claims is not being paid at this time

NOTE: If the fee for extra claims are not paid on filing they must be paid or the claims canceled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency, 37 CFR 1.16(d).

Filing Fee Calculation \$ 710.00

6. Small Entity Status

- ☐ Verified statement that this is a filing by a small entity under 37 CFR 1.9 and 1.27.

Filing Fee Calculation (50% of above) \$ _____

NOTE: If a verified statement is filed within 2 months of the date of payment of first fee then the excess fee paid will be refunded on request. Notice of January 20, 1983. 1027 TMOG 114.

7. Fee Payment Being Made At This Time

- ☐ Not Enclosed

- ☐ No filing fee is submitted. This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.

NOTE: Where the filing is a completion in the U.S. of an international application the fee must be paid.

- ☒ Enclosed

☒ filing fee \$ 710.00

☐ recording assignment (\$40.00; 37 CFR 1.21(h)(i)) \$ _____

☐ petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached. 37 CFR 1.47 and 1.17 (h) \$ _____

Total fees enclosed \$ 710.00

8. Method of Payment of Fees

- ☒ check in the amount of \$710.00

- ☐ charge account No. 12-0415 in the amount of \$ _____
A duplicate of this transmittal is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 CFR 1.22(b).

9. Authorization to Charge Additional fees

- ☒ The Commissioner is hereby authorized to charge the following additional fees which may be required to Account No. 12-0415:

☒ 37 CFR 1.16 (filing fees and presentation of extra claims)

☒ 37 CFR 1.17 (application processing fees)

☐ 37 CFR 1.18 (issue fee at or before Mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

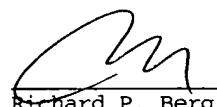
NOTE: 37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application...prior to paying... issue fee".

10. Instructions As To Overpayment

- ☒ Credit Account No. 12-0415 ☐ refund

c/o LADAS & PARRY
5670 Wilshire Boulevard
Suite 2100
Los Angeles, California 90036-5679

Telephone: (323) 934-2300
Telefax: (323) 934-0202


Richard P. Berg
Attorney
Reg. No. 28,145

EXPRESS MAIL NO. EL896634843US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter James Sutherland Goldsack, et al.
Serial No.: Not yet assigned)
Filed: Concurrently herewith) Our Ref: B-4199 618841-6
For: "BLOCK ERROR RATE)
MEASUREMENTS") Date: June 5, 2001

1cs78 U.S. Pro
09/875415
06/06/01

CLAIM TO PRIORITY UNDER 35 U.S.C. 119

Commissioner of Patents and Trademarks
Box New Patent Application
Washington, D.C. 20231

Sir:

[X] Applicants hereby make a right of priority claim under 35
U.S.C. 119 for the benefit of the filing date(s) of the
following corresponding foreign application(s):

<u>COUNTRY</u>	<u>FILING DATE</u>	<u>SERIAL NUMBER</u>
United Kingdom	7 June 2000	0013746.3
EPO (European Patent Office)	18 December 2000	00311334.7

[] A certified copy of each of the above-noted patent
applications was filed with the Parent Application
No. _____.

[X] To support applicant's claim, certified copies of the above-
identified foreign patent applications are enclosed herewith.

[] The priority document will be forwarded to the Patent Office
when required or prior to issuance.

Respectfully submitted,



Richard P. Berg
Attorney for Applicant
Reg. No. 28,145

LADAS & PARRY
5670 Wilshire Boulevard
Suite 2100
Los Angeles, CA 90036
Telephone: (323) 934-2300
Telefax: (323) 934-0202